

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

In re:) Chapter 11
)
EASTERN LIVESTOCK CO., LLC,) Case No. 10-93904-BHL-11
)
Debtor.)

**TRUSTEE’S MOTION FOR LEAVE TO
DISCONTINUE DISCOVERY REPOSITORY**

James A. Knauer (“Trustee”) respectfully requests leave to discontinue maintenance of the discovery repository in connection with Eastern Livestock’s bankruptcy proceeding and related adversary proceedings. The Trustee states the following in support of this motion:

1. In 2011, this Court approved certain discovery protocols, pursuant to which the Trustee was to create and maintain an online discovery repository (the “Repository”) to facilitate and streamline the orderly and efficient exchange of large quantities of documents and other discovery material in this Chapter 11 case and related adversary proceedings. *See* Dkts. 738, 779.

2. Since the approval of those protocols, the Trustee has maintained the Repository and has uploaded discovery requests, responses, subpoenas, deposition transcripts, 2004 examination transcripts, and document productions served in connection with adversary proceedings and contested matters under the umbrella of Eastern’s Chapter 11 case. Upon request and signing the court-approved confidentiality agreement, attorneys of record were issued user names and passwords and had access to all of the discovery materials on the Repository.

3. The majority of the Eastern Livestock litigation has settled, the number of litigating parties remaining is small, and the need for electronic access to the Repository no longer exists.

4. It costs the Estate \$249 per month to maintain the Repository and provide web site access to its contents. These recurring costs to Eastern's Estate outweigh any minimal benefit the Repository serves at this time.

5. The Trustee, therefore, seeks leave to discontinue maintaining the Repository and relief from all discovery protocols related to the Repository.

6. The Trustee has and will continue to maintain until the closure of Eastern's Chapter 11 case electronic copies of all material previously uploaded on the Repository. The Trustee's counsel at Faegre Baker Daniels LLP has made electronic copies and will make them available to any remaining litigating parties' counsel upon request. (Depending on the volume of the request, the Trustee reserves the right to request that the requesting party pay for any copying/duplication charges that may be involved in providing the materials.) Accordingly, the Trustee expects that no party will be prejudiced by the relief requested in this motion.

7. The Trustee proposes a date of March 1, 2016, to discontinue the Repository and avoid further electronic storage fees.

WHEREFORE, the Trustee respectfully seeks an Order from the Court authorizing the Trustee to discontinue maintenance of the discovery Repository effective March 1, 2016, and for all other appropriate relief.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2016, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

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I further certify that on February 17, 2016, a copy of the foregoing pleading was served via electronic mail transmission on the following:

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